REMARKS

The present Amendment is in response to the Office Action having a mailing date of July 16, 2003. Claims 1-22 are pending in the present Application. Applicant has amended claims 1, 7, 8, 10, 12, and 20. Consequently, claims 1-22 remain pending in the present Application.

In the above-identified Office Action, the Examiner indicated that claim 11 was allowable and that claims 7, 10, and 20-22 would be allowable if rewritten or amended to be in independent form, incorporating the limitations of the base claim and any intervening claims.

Applicant gratefully appreciates the Examiner's allowance of claim 11 and indication that claims 7, 10, and 20-22 contain allowable subject matter. Applicant has amended claims 7, 10, and 20 to be in independent form and to incorporate the limitations of the base claims and any intervening claims. Furthermore, claims 21-22 depend upon claim 20. Accordingly, Applicant respectfully submits that claims 7, 10, and 20-22 are allowable as currently presented.

Applicant has also amended claims 1 and 8 to recite data buffers and a method in which another data cell is written prior to a data cell being completely read based on a write signal being provided based on a predetermined threshold. Similarly, Applicant has amended claim 12 to recite a method in which the reading step provides a write signal based upon predetermined threshold being reached. Support for the amendments can be found in the specification, page 5, lines 1-10.

In the above-identified Office Action, the Examiner rejected claims 1-6, 8-9, and 12-18 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,115,387 (Egbert). The Examiner also rejected claims 19 under 35 U.S.C. § 103 as being obvious in light of Egbert.

Applicant respectfully traverses the Examiner's rejection. Independent claim 1 recites a data buffer in which the signaling circuit provides a write signal to the entry section to begin writing another data cell into the entry section prior to the data cell being completely read in the entry

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section and in which the signal being provided based on a predetermined threshold. Similarly, independent claim 8 recites a data buffer in which the asynchronous signaling circuit provides a write signal to the write element to begin writing another data cell into the buffer entry section prior to the data cell being completely read from the read element and in which the signal is provided based on a predetermined threshold. Claim 12 recites a method for transferring data in a data buffer in which the step of reading the data cell from a buffer includes providing a write signal for a subsequent data cell based upon predetermined threshold being reached.

Egbert fails to teach or suggest writing another data cell into the buffer prior to the data cell being completely read in conjunction with providing a write signal for a subsequent cell based upon a predetermined threshold being reached. Applicant has found no mention in Egbert of providing a write signal for a subsequent cell based upon a predetermined threshold being reached. Moreover, the Examiner acknowledged that Egbert does not expressly disclose anything about providing a second signal to write information after a second predetermined threshold has been reached. Consequently, Egbert fails to teach or suggest the data buffers recited in claims 1 and 8 and the method recited in claim 12. Accordingly, Applicant respectfully submits that claims 1, 8, and 12 are allowable over the cited references.
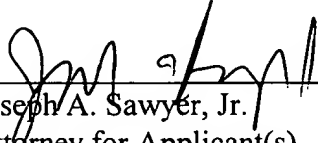
Claims 2-6, 9, and 13-19 depend upon independent claims 1, 8, and 12, respectively. Consequently, the arguments herein apply with full force to claims 2-6, 9, and 13-19. Accordingly, Applicant respectfully submits that claims 2-6, 9, and 13-19 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

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Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801
(650) 493-4540